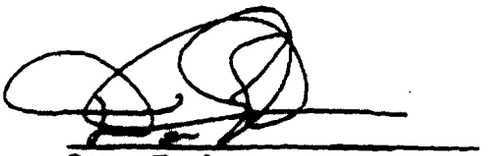


Dane Ershen

Subscribed and sworn before me

this 18 day of May, 1995

Lynn K. (Van) Gaston (Hellios)

Notary Public

ATTACHMENT 3

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICAN,	)	
	)	
Plaintiff,	)	
	)	
	)	Civil No. 82-0192 (HHG)
	)	
V.	)	
	)	
WESTERN ELECTRIC CO., INC. and AMERICAN TELEPHONE AND TELEGRAPH COMPANY,	)	
	)	
Defendants.	)	

AFFIDAVIT OF GILBERT OROZCO

Gilbert Orozco, being duly sworn, deposes and says:

1. My name is Gilbert Orozco, and I am Director-Competitive Analysis/Sales Support at Southwestern Bell Telephone Company (SWBT). In this position I am responsible for tracking and analyzing competition in the markets for all services offered by SWBT, including intraLATA long distance, local exchange and access services.

2. In connection with the initial interexchange wireless Compliance Plan of SBC Communications Inc. (SBC) and Southwestern Bell Communications Services, Inc. (SBCS), I have been asked to assess whether competitive access services between interexchange carrier (IXC) points of presence (POPs) and AT&T/McCaw Mobile Telephone Switching Offices (MTSOs) in SWBT's five-state telephone service region are available from entities not affiliated with SBC or any of its subsidiaries, including SWBT.

3. SWBT has identified eleven AT&T/McCaw Local Cellular Service Areas (LCSAs) in its region. These LCSAs are as follows:

AT&T/MCCAW LOCAL CELLULAR SERVING AREAS

LCSAs	MSAs INCLUDED IN THE LCSAs	LATA
1. Tulsa	Tulsa, Ok.	538
	Fort Smith, Ak.	538
	Joplin, Mo.	522
	Springfield, Mo.	522
	Fayetteville-Springdale, Ak.	526
2. Oklahoma City	Oklahoma City, Ok.	536
	Lawton, Ok.	536
3. Dallas/Ft. Worth	Dallas-Ft. Worth, Tx.	552
	Sherman-Denison, Tx.	552
4. Austin	Austin, Tx.	558
	Bryan-College Station, Tx.	558
5. Houston	Houston, Tx.	560
	Galveston, Tx.	560
	Newton, Tx.	560
6. San Antonio	San Antonio, Tx.	566
7. Kansas	Lawrence, Ks.	534
	Topeka, Ks.	534
	Kansas City, Mo.	524
	St. Joseph, Mo.	524
8. Arkansas	Little Rock-North Little Rock, Ak.	528
	Pinebluff, Ak.	528
9. Wichita Falls	Wichita Falls, Tx.	548
10. Waco	Waco, Tx.	556
	Killeen-Temple, Tx.	556
11. Shreveport, LA	Longview-Marshall, Tx.	554
	Texarkana, Tx.	554

4. In the first eight of these LCSAs -- Kansas City, Oklahoma City, Tulsa, Little Rock, Dallas/Ft. Worth, Houston, Austin and San Antonio -- alternative MTSO-to-POP access is

available from 12 non-SBC and non-BOC affiliated Competitive Access providers (CAPs)[1] operating at least 19 separate networks. Maps of these CAP networks, showing the locations of the AT&T/McCaw MTSOs and various IXC POPs, are attached as Exhibit A to my affidavit.[2]

5. A listing of the non-Regional Company CAPs providing service in the subject AT&T/McCaw LCSAs is attached to my affidavit as Exhibit B. To the best of my knowledge and belief, none of the CAPs currently providing services in these areas is owned or controlled by SBC or any Regional Bell Operating Company.

6. The maps attached as Exhibit A, the CAPs identified in Exhibit B, together with the additional information presented below, conclusively demonstrate that established CAPs are operational in Oklahoma, Texas, Kansas, Missouri and Arkansas, and are ready, willing and able to provide alternative, "non-Regional Company" interexchange access between cellular MTSOs and IXC POPs in the Kansas City, Oklahoma City, Tulsa, Little Rock, Dallas/Ft. Worth, Houston, Austin and San Antonio AT&T/McCaw LCSAs.

7. In the remaining three LCSAs -- Wichita Falls, Shreveport, Louisiana (which includes the Longview/Marshall and

---

[1]American Communications Services, Inc. (ACSI), Time Warner Communications (TWC), MCI Metro, Metropolitan Fiber Systems (MFS), Teleport Communications Group (TCG), Metro Access, Phonoscope, KINNET, Brooks Fiber Properties (BFP), Cox Fibernet, Dobson Fiber, and Kansas City Fibernet.

[2]The CAP fiber maps attached as Exhibit A were developed by members of my staff. The actual placement of CAP fiber throughout SWBT's region was documented through actual on-site inspection and tracking efforts, and through analysis of CAP sales literature, federal and state regulatory filings and other publicly available information.

Texarkana MSAs)[3] and Waco -- IXCs are able to bypass SWBT's switched public network for MTSO-to-POP connections through use of microwave facilities. In these areas, as set out in more detail in the affidavit of Dane Ershen, IXCs may also have their AT&T/McCaw cellular interexchange traffic routed to the facilities of independent local exchange companies (ILECs), completely bypassing SWBT's facilities for MTSO-to-POP connections.

I. LCSAs SERVED BY CAPs

A. Alternative CAP MTSO-to-POP Connections

8. As shown in the AT&T/McCaw LCSA maps attached as Exhibit A, CAPs generally deploy ring-like fiber optic networks that run through high-density downtown areas and business parks. This enables CAP providers to easily reach a large number of high-volume telecom users, and to reach cellular company MTSOs and IXC POPs.

9. The proximity of CAP fiber networks to IXC POPs is one of the factors which allow CAPs -- in the subject AT&T/McCaw LCSAs and elsewhere -- to compete directly with SWBT in providing interexchange access services to customers. In SWBT's region, CAPs offer a wide variety of services to their customers, ranging from high-capacity special access to local point-to-point services. CAP special access service offerings vary greatly in terms of circuit capacity and speed, but the vast majority of service is T-1 or DS-1

---

[3]Based upon the authority contained in SBCS' initial Compliance Plan, it is my understanding that SBCS only needs to demonstrate that alternative access is available in the Longview-Marshall/Texarkana MSA portions of AT&T/McCaw's Shreveport LCSA in order to be included on the equal access ballot for this area. Of course, because SWBT does not provide local exchange service in Louisiana, it cannot be a "bottleneck" for the Louisiana portions of the Shreveport LCSA.

capacity. These special dedicated circuits[4] are used by CAPs to connect end-user customers directly to IXC POPs.

10. These same circuits may be used by CAPs in the identified AT&T/McCaw LCSAs to provide their IXC customers with direct MTSO-to-POP connections, thereby allowing the IXCs to reach their wireless customers through facilities which completely bypass SWBT's local exchange network. There are no technological barriers to the use of CAP fiber networks for MTSO-to-POP connections; such CAP-provided connections are available to IXCs as they are to any other CAP customer.

11. The fact that CAPs in the subject AT&T/McCaw LCSAs are willing to provide IXCs with alternative MTSO-to-POP access is demonstrated by the fact that CAPs are generally willing to serve any customer requesting their service, and routinely extend their networks to add new customers.[5] The availability of CAP provided MTSO-to-POP connections is amply illustrated by advertising materials certifying the amenability of CAPs -- in the subject LCSAs and nationwide -- to extend their networks to serve individual customer locations and commercial buildings:

- "We will bring our digital network to your door --

---

[4]A dedicated circuit is a facility that connects a customer directly to a location of its choice. Circuits can connect two distinct customer locations, a customer premises with a long distance carrier, or connect two switching locations of a long distance company.

[5]See TCG Provisioning Policy Corporate Standards at 8-10. TCG Provisioning Center (TPC) is responsible for determining whether network capacity exists for completing the customer order. If network capacity does not exist, it will determine if TCG can successfully build new or augment the existing capacity to meet the customer's requested due date.

to connect you with local, long-distance, and satellite carriers."[6]

- "We go out and find a customer and then we figure how to build the system out to that customer."[7]

- When Kansas City FiberNet completed its network in Kansas City, the company announced it would "reach every building downtown either through its network or an easy expansion."[8]

- PSO/MetroLink notes that "[d]ependent upon the customer's service needs, and its proximity to the MetroLink System, a variety of options will be offered. After learning more about the business need of the potential customer, we can provide a design that will fit the requirements."

- "BFP's Oklahoma City network will span 33 route miles and will connect to more than 50 buildings when completed, with expansion into other areas of Oklahoma City as customer demand dictates, such as the growing West Reno business corridor and the airport areas."[9]

- ACSI, serving the Little Rock and Dallas/Ft. Worth AT&T/McCaw LCSAs, is perhaps the biggest promoter of its flexibility: "To ensure that it provides the services that best serve the customers in each local market, ACSI first researches the long distance carriers, corporations and government agencies which would benefit from an alternative local telecommunications company. We then tailor our fiber optic network to their needs."[10]

---

[6]Bay Area Teleport, "Your Best Business Connection", company promotional material (1994).

[7]Gary Kim, "Carriers Prepare for Battle", Lightwave, June 1991, at 37, attached to Electric Lightwave, Here's some news for you . . . Let's Talk Rings . . . and Things, Promotional Brochure (1991)(quoting John Warta, President and CEO of Electric Lightwave Inc.).

[8]Martin Rosenberg, "FiberNet Completes Its Downtown Expansion", Kansas City Star, Nov. 16, 1994.

[9]Press Release, "Brooks Fiber Properties, Inc. To Build Network in Oklahoma City", company promotional material, June 24, 1994, at 2.

[10]ACSI, company promotional material (no date provided).

12. Alternative MTSO-to-POP access, offered by CAPs not affiliated with SBC or SWBT as set out above, provides IXCs in the identified AT&T/McCaw LCSAs with viable and competitive alternatives to the Regional Company's local exchange network. As set out in further detail below, those competitive alternatives are currently available to IXCs in the eight largest AT&T/McCaw LCSAs located in SWBT's five-state telephone service region.

B. CAP Networks in AT&T/McCaw LCSAs

13. As noted above, 12 CAP providers are currently operating in eight of the AT&T/McCaw LCSAs covered by SBCS' initial interexchange wireless Compliance Plan. The maps attached as Exhibit A illustrate the CAP fiber facilities available in those LCSAs, and the location of those facilities in relation to the IXC POPs, the AT&T/McCaw MTSOs, and the MTSOs of AT&T/McCaw's cellular competitors. These operational CAPs are fully capable of providing non-SWBT MTSO-to-POP access in these eight LCSAs.

14. A more detailed description of the CAP alternatives available in the AT&T/McCaw LCSAs located in SWBT's five-state region is as follows:

A. Tulsa LCSA (AT&T/McCaw MTSO: Cellular One)

- **PSO MetroLink,** which was recently acquired by **Brooks Fiber Communications**, is the largest operating CAP in Oklahoma. Formerly a department of the **Public Service Company of Oklahoma** (an electric utility), and a subsidiary of **Central & South West Corporation (CSW)**, PSO began serving its first commercial customers in Tulsa in 1986, using the electric company easements of its parent company. The Brooks/PSO Tulsa network now has 105 route miles of fiber[11] in place and serves at least 42

[11]PR Newswire, "Brooks Fiber Communications Acquires Tulsa, Oklahoma Network", Feb. 8, 1995.

buildings,[12] including the four campuses of Tulsa Junior College.

B. Oklahoma City LCSA (AT&T/McCaw MTSO: Cellular One)

- **Brooks Fiber Communications**, the nation's fastest growing CAP,[13] currently operates a 20 route-mile fiber network in Oklahoma City that serves 28 buildings.[14] The network covers the immediate downtown area and extends to several business concentrations in the north and northeast areas of the city. In the downtown area, the network connects to at least four IXC POPs. By the end of 1996, Brooks plans to have deployed approximately 88 route miles of fiber in Oklahoma City.[15]

- Oklahoma City has been targeted by other CAPs as well. **Metro Access** has plans to construct a network[16], as does **Indian Nations Fiber.**[17] **Cox Fibernet, an affiliate of TCG and subsidiary of Cox Cable**, plans to use 120 miles of Cox Cable System's existing fiber network in the north and southwest parts of downtown Oklahoma City.[18] When construction is complete, Cox Fibernet and Metro Access will add another 140 route miles of fiber to the Oklahoma City metropolitan area. In addition, on November 18, 1994 **MFS** applied with the Oklahoma Corporate Commission for a Certificate of Public Convenience and Necessity to provide intrastate, interexchange private line services.

---

[12]Connecticut Research, 1994 Local Telecommunications Competition at VII-91 (hereinafter Local Competition).

[13]Local Competition at IV-4.

[14]Local Competition at VII-8 -- VII-9.

[15]**The Sunday Oklahoman, "Firm To Activate Fiber Optic Net Serving Downtown", Bus. Section, Mar. 20, 1995, at 1; Brooks Fiber Communications of Oklahoma, Inc., Economic Impact of Brooks Fiber Communications of Oklahoma to Oklahoma City, company promotional material (no date provided).**

[16]Local Competition at VII-63.

[17]City Council Meeting Transcript of Lawton, OK, Apr. 26, 1994.

[18]Local Competition, at VII-20. Cox has operated Oklahoma City's cable franchise since 1980. Warren Publishing, Inc., 1994 Television & Cable Factbook, at D-1361 (1994).

C. Dallas/Ft. Worth LCSA (AT&T/McCaw MTSO: Metrocel Cellular)

- **TCG** operates a 235 mile network throughout the Dallas/Ft. Worth metroplex that reaches over 90 buildings.[19] TCG has been operating a system in downtown Dallas since 1991, and has formed a joint venture with TCI, the incumbent cable operator, to increase its system's fiber capacity by co-building on TCI's existing fiber network.[20] **MFS** has provided CAP services in Dallas since 1991. Its network now extends approximately 120 route miles and serves about 100 buildings.[21] In addition, **MFS** has plans to extend its network to Ft. Worth in 1996.[22] Dallas is also listed by **MCI Metro** as one of the first cities in which they intend to build a CAP network. Earlier this year, MCI Metro announced its CAP services were available in Dallas.[23]

- In addition to TCG, the Ft. Worth area has two additional CAPs with operational networks, **ACSI** and **Metro Access**. Metro Access, which won franchise rights last year to build an 80 route mile fiber network linking 40 buildings in Ft. Worth, Arlington, and Dallas, has signed multi-year contracts with at least two companies in Tarrant County.[24] ACSI, which operates a fiber network primarily in downtown Ft. Worth, has also signed contracts with multiple customers.[25]

---

[19]Teleport Communications, Teleport Communications Group Fact Sheet, May, 1994, at 3.

[20]Local Competition at VII-104.

[21]Local Competition at VII-69.

[22]"Five States Tackle Local Competition Policy Actions and Issues", State Telephone Regulation Report, Aug. 11, 1994; Tom Steinert-Threikeld, "Sammons, Teleport to Link Networks", Dallas Morning News, Mar. 7, 1994, at 1D.

[23]MCI Insider Liaison Conference Call Transcript, Feb. 1995, at 5.

[24]Local Competition at VII-63.

[25]Ft. Worth Star-Telegram, "Firms providing fiber optics sign customers", Business Section, Apr. 27, 1994, at 8.

D. Austin LCSA (AT&T/McCaw MTSO: Cellular One)

- **Time Warner Communications (TWC) and Metro Access** both have networks operational in Austin.[26] When completed, TWC's 120 mile network will serve buildings throughout Austin,[27] and Metro Access' 40 mile network, which the company estimates will be operational in 1995, will serve 28 buildings.[28]

E. Houston LCSA (AT&T/McCaw MTSO: Cellular One)

- **MFS** has been operating as a CAP in Houston since 1989. Its 260 mile fiber network currently reaches at least 80 buildings throughout the Houston metropolitan area and is capable of serving "hundreds of small and medium-sized businesses."[29] Locations served include Greenway Plaza, the Galleria area, Intercontinental Airport, and Clear Lake.[30] The network links to at least 20 IXC POPs.

- **TCG** also operates in Houston. In 1990, its network was only 7 route miles;[31] today it spans 275 miles and serves over 100 buildings.[32]

---

[26]Austin American Statesman, "Austin Phone Access Heating Up", Feb. 8, 1995; Time Warner operates the cable franchise in Austin, offering 57 channels to 178,000 subscribers.

[27]Austin American Statesman, "Company hopes to hold onto cable strength while expanding into telephone business", Dec. 5, 1993.

[28]Local Competition at VII-63.

[29]MFS, MFS Network, company promotional material, Winter 1994, at 1.

[30]Martin Zimmerman, "Phone Firm Seeking Local Service"; MFS Intelenet Looks At Largest Texas Cities, The Dallas Morning News, July 30, 1994, at 1F.

[31]Teleport Communications, Teleport Communications Group Fact Sheet, May, 1994, at 3.

[32]Local Competition at VII-104.

- **Time Warner**, Houston's franchised cable provider, is also constructing a CAP network and has filed interstate tariffs with the FCC to provide dedicated and switched access services.[33] Time Warner's business strategy is to market to the top 20 percent of the market that represents 80 percent of the telecommunication revenues.[34]

- **Phonoscope**, a cable TV company that aggressively competes for customers in apartment complexes and office buildings in the Houston metropolitan area, has approximately 400 route miles of fiber and leases its excess capacity to other companies, including TCG.[35] **MCI Metro** is also planning to build a CAP network in Houston.[36]

F. San Antonio LCSA (AT&T/McCaw MTSO: Cellular One)

- **FIBRCOM** operates a 248 mile fiber network in San Antonio. FIBRCOM began CAP service in 1992, and now its "San Antonio Net" network connects 64 buildings and ten different IXCs.[37] FIBRCOM is in the process of being acquired by **Time Warner**.[38] **Metro Access** has also announced plans to construct a CAP network in San Antonio.[39]

G. Kansas City LCSA (AT&T/McCaw MTSO: Cellular One)

- **Kansas City Fibernet (KCY Fibernet)** has provided competitive access services in Kansas City since 1988.[40]

---

[33]Houston Common Carrier Week, Apr. 11, 1994.

[34]Time Warner's 1994 Annual Report, at 5.

[35]Houston Post, "Tiny Company Has Vast Role In Communications", Oct. 26, 1992 at E7; Faulkner Information Services, "Telecommunications Strategies", TCS02.70.775, at 1.

[36]Edmund L. Andrews, "MCI Will Compete in Local Phone Service", New York Times, Mar. 6, 1995, at D1.

[37]Local Competition at VII-34.

[38]San Antonio Express News, "Paragon Gets New Parent Firm", Jan. 28, 1995, at E1.

[39]Dallas Business Journal, "Century Telephone Beefs Up Texas Holdings With Buyout", Dec. 2, 1994.

[40]Kansas City Fibernet is a limited partnership between Kansas City Cable Partners; KCFN Holdings, Inc.; TeleCable Corp.; and TeleCable KCFN Holdings, Inc.

Its fiber network extends over 200 miles across the five-county Greater Kansas City area.[41] The network "provides direct connections to all the long-distance carriers serving Kansas City over SONET-based fiber-optic rings."[42] MFS, one of the two largest CAPs nationwide, has also disclosed plans to construct a network in Kansas City.[43]

- **KIN Network (KINNET)**, founded in 1985 by 29 independent telephone companies in Kansas, began operating its fiber network in 1990.[44] Its 1,200 mile, all-fiber network currently stretches across the state, from Kansas City to Wichita to Dodge City[45] and connects with over 20 IXC points of presence (POPs).

- **Digital Teleport Inc.**, a CAP based in St. Louis since 1989, was recently awarded 1,200 miles of rights-of-way by the Missouri State Highway Department to construct a statewide fiber optic network. The statewide fiber network will eventually connect the cities of St. Louis, Springfield, Joplin and Kansas City, thereby impacting both the Kansas City and Tulsa AT&T/McCaw LCSAs.[46] In addition to Digital Teleport, **Springfield Fiber Net** also plans to establish service in Springfield.

H. Arkansas LCSA (AT&T/McCaw MTSO: Cellular One)

- **American Communications Services, Inc. (ACSI)** was founded "to bring alternative local telecommunications fiber optics networks to the fast-growing mid-sized cities of the South."[47] ACSI began offering service over

---

[41]Martin Rosenberg, "Rival asks for shot at Southwestern Bell", Kansas City Star, May 12, 1995.

[42]Kansas City FiberNet, company promotional material (no date provided).

[43]MFS was certified by the Missouri Public Service Commission in October 1992 to provide dedicated access and private line services in St. Louis and Kansas City.

[44]KINNET, "Presentation For: The Telemedicine Policy Information Group", Mar. 13, 1993.

[45]Other SWBT cities served by KINNET include Topeka and Salina, Kansas.

[46] Mike Murray, "CEO Spells Fiber Optic", Nevada Publishing Company, May 2, 1995.

[47]American Communications Services, Inc., company promotional material (no date provided). Some of the reasons ACSI gives for

its network in downtown Little Rock early this year, and has applied with the Arkansas Public Service Commission to provide intrastate special access and private line services.

- Two other CAPs, **Brooks Fiber** and **Metro Access**, are each in the process of building SONET-based fiber networks[48] that will serve downtown Little Rock.[49] By early this year, these CAPs will have laid almost 44 route miles of fiber. They will initially serve at least 34 buildings in the central business district, as well as the State Capital complex.

- **Entergy Corp.**, a subsidiary of the utility company **Arkansas Power & Light (AP&L)** that serves parts of Arkansas, Louisiana, Mississippi and Texas, is currently providing direct access to Sprint in a Little Rock, Arkansas trial in the Chenal Valley. Entergy, along with several other power companies, is placing fiber rings to introduce load management systems to its customers. With at least 95% capacity available, utility companies are "eyeing the local exchange as a logical place to tap a new revenue stream".[50]

II. LCSAs WITH MICROWAVE ALTERNATIVE ACCESS

15. In areas with no active CAP networks, including the Wichita Falls, Waco LCSAs and the Longview-Marshall/Texarkana MSA portions of the Shreveport LCSA, microwave facilities provide IXCs with a viable alternative to the SWBT local exchange for MTSO-to-POP connections.

16. Specifically, telecommunications service companies such

---

targeting "more than a dozen cities in the South" include "their concentrated business districts for rapid network installation" and "their favorable municipal government and regulatory environments."

[48]A SONET-based network uses a set of international standards for fiber based transmission systems. SONET defines standard optical carrier transmission rates and utilizes a modular multiplexing signal approach based on the application of synchronous transport signals.

[49]Local Competition at VII-8 -- VII-9, VII-63.

[50]Deborah Eby, Washington Editor, "Utilities Light Up Local Competition", American Network, Aug. 15, 1994.

as Local Area Telecommunications (LOCATE) offer microwave CAP services to customers on a nationwide basis.[51] Providing alternative access to IXCs throughout the United States, LOCATE has been in business since 1981 and has customers in 99 cities in at least 30 states; it presently provides dedicated access for AT&T, MCI, Sprint, other long distance and cellular companies.[52]

17. Another telecommunications services company actively marketing its ability to provide alternative interexchange access via microwave to IXCs and cellular companies is WinStar Communications, Inc. WinStar has recently begun offering cellular companies what it calls a "wireless fiber" solution that can connect long distance companies to MTSOs. In March 1995, WinStar announced a wireless fiber service in 30 licensed areas, offering the last mile link to subscribers by microwave shots rather than terrestrial facilities.[53] Areas served in SWBT's region include Dallas, Houston, St. Louis and Kansas City. The company is currently marketing its services to CAPs, IXCs and cellular companies needing a "wireless fiber" solution.[54]

18. In addition to the foregoing, AT&T/McCaw has over one hundred microwave licenses interconnecting their sites throughout

---

[51]Faulkner Information Services, "Telecommunications Strategies", TCS02.70.550, Jan. 1994, at 1-7.

[52]LOCATE promotional materials (no date provided)

[53]Through a proposed merger agreement with Avant-Garde Communications, WinStar has a microwave license issued by the FCC in the 38.6-40.0 GHZ radio band.

[54]WinStar Communications, Inc., Press Release, Mar. 14, 1995.

Texas, Arkansas, Kansas and Oklahoma.[55] These locations include the Wichita Falls and Waco LCSAs and the Longview-Marshall/Texarkana MSA portions of the Shreveport LCSA. The same microwave technology utilized by AT&T/McCaw to connect their MTSOs to their remote switching locations in these areas may be utilized by those carriers to provide alternative MTSO-to-POP connections.

19. IXCs also utilize microwave for their backbone transmission routes, as well as the link with end customers. MCI has microwave licenses in the LCSAs mentioned above.[56] AT&T operates microwave systems in the Wichita Falls LCSA.[57] Numerous smaller common carriers also operate microwave systems throughout this region. These systems may be used to provide those IXCs with alternative MTSO-to-POP access.

III. Independent LEC Facilities

20. As part of my affidavit, I have also been asked to identify those ILECs operating in the three areas specified above, which are able to provide interexchange access alternatives to AT&T/McCaw's cellular operations. As set out in greater detail in the affidavit of Dane Ershen, IXC's may bypass the Regional Company's facilities for cellular interexchange traffic through use of ILEC central offices or access tandems.

21. Attached as Exhibit C to my affidavit are three maps depicting the local exchange serving areas of all independent local

---

[55]Based on FCC licensing information obtained by Comsearch February, 1994.

[56]Id.

[57]Id.

exchange companies serving the states of Texas, Arkansas and Oklahoma.

22. Attached as Exhibit D to my affidavit are maps specifically identifying the ILECs serving the Wichita Falls, Waco/Killeen-Temple, and Longview-Marshall/Texarkana MSAs. Shown below are the central offices and access tandems operated by those ILECs in the LATAs in which the specified MSAs are located.

Wichita Falls MSA (Wichita Falls LATA)

a. Community Telephone Co.

- 6 central offices

b. Contel of Texas, Inc. (GTE of Texas)

- 1 central office

c. Electra Telephone Co. Inc.

- 14 central offices
- one independent access tandem

d. North Texas Telephone Co.

- 2 central offices

Waco/Killeen-Temple MSAs (Waco LATA)

a. Central Telephone. Co. of Texas (Sprint/Centel)

- 15 central offices
- one independent access tandem

b. Contel of Texas, Inc. (GTE of Texas)

- 10 central offices

c. United Telephone Co. (Sprint/United)

- 3 central offices

Longview-Marshall/Texarkana MSAs (Longview LATA)

a. Contel Of Texas, Inc. (GTE of Texas)

- 13 central offices

b. Eastex Telephone Coop.

- 10 central offices
- 1 independent access tandem

c. Etex Telephone Co.

- 7 central offices

d. GTE Southwest, Inc.

- 31 central offices
- 1 independent access tandem

e. Southwest Arkansas Telephone Coop.

- 1 central office
- 1 independent access tandem

23. Exhibit E to my affidavit is a map which identifies the majority of the ILECs serving the Little Rock and Pine Bluff MSAs, which are located in the Little Rock LATA. The two primary ILECs operating in this area are GTE and Alltel (Alltel has purchased the company designated on the map as "Perco Telco"). In the Little Rock LATA, GTE operates at least 66 central offices and two access tandems. Alltel operates at least 48 central offices and four access tandems.

24. Exhibit F to my affidavit contains two maps, depicting the MSAs included in the Oklahoma City and Tulsa AT&T/McCaw LCSAs. In the Oklahoma and Lawton MSAs, at least six ILECs operate over 100 central offices and at least six access tandems. In the Tulsa MSA, more than 6 ILECs operate more than 30 central offices and at more than two access tandems.

25. Exhibit G to my affidavit contains five additional maps showing the ILEC served areas in the remaining AT&T/McCaw LCSAs: Dallas/Ft. Worth; Austin; Houston; San Antonio; and Kansas. These ILECs operate numerous central offices and access tandems in the specified areas.

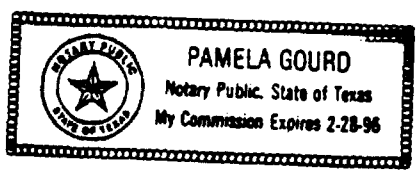
IV. CONCLUSION

26. Competitive MTSO-to-POP access, provided by entities not affiliated with SBC or SWBT, is available in all of the AT&T/McCaw LCSAs listed above. In the Kansas City, Oklahoma City, Tulsa, Little Rock, Dallas/Ft. Worth, Houston, Austin and San Antonio AT&T/McCaw LCSAs, CAP fiber networks are operational and available to provide alternative MTSO-to-POP connections.

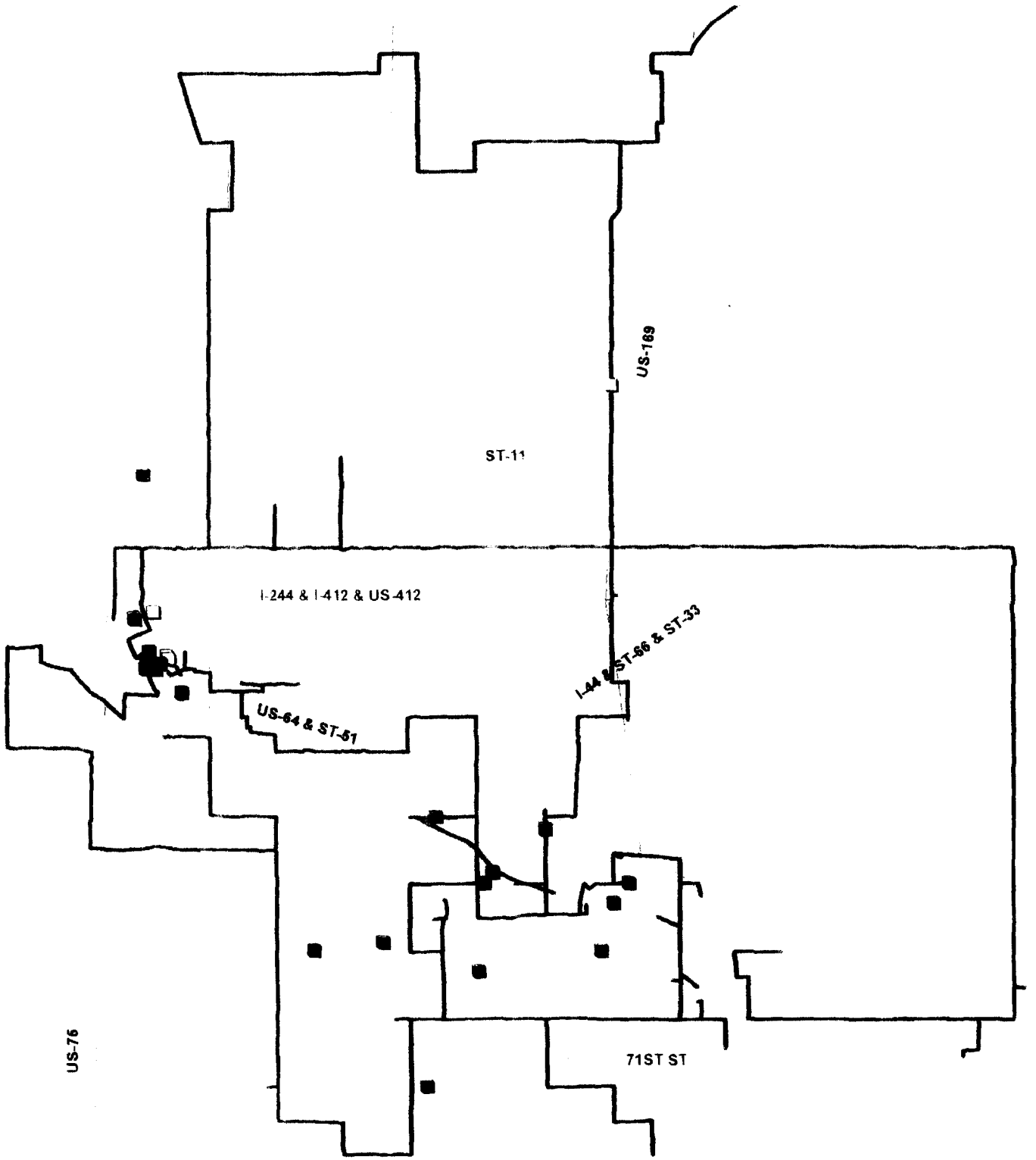
27. In the Wichita Falls and Waco LCSAs and the Longview-Marshall/Texarkana portions of the Shreveport LCSA, microwave bypass is publicly available through independent companies such as WinStar and LOCATE. Additionally, AT&T/McCaw and other IXCs may bypass the SWBT local switched telephone network through their own licensed microwave systems and by building their own bypass networks. Finally, ILECs also provide IXCs with yet another available choice for obtaining alternative MTSO-to-POP access for cellular interexchange traffic.

I hereby swear, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge and belief.

Sworn and subscribed this 17th day of May, 1995.



CAP NETWORKS - TULSA



FIBER

—— BROOKS

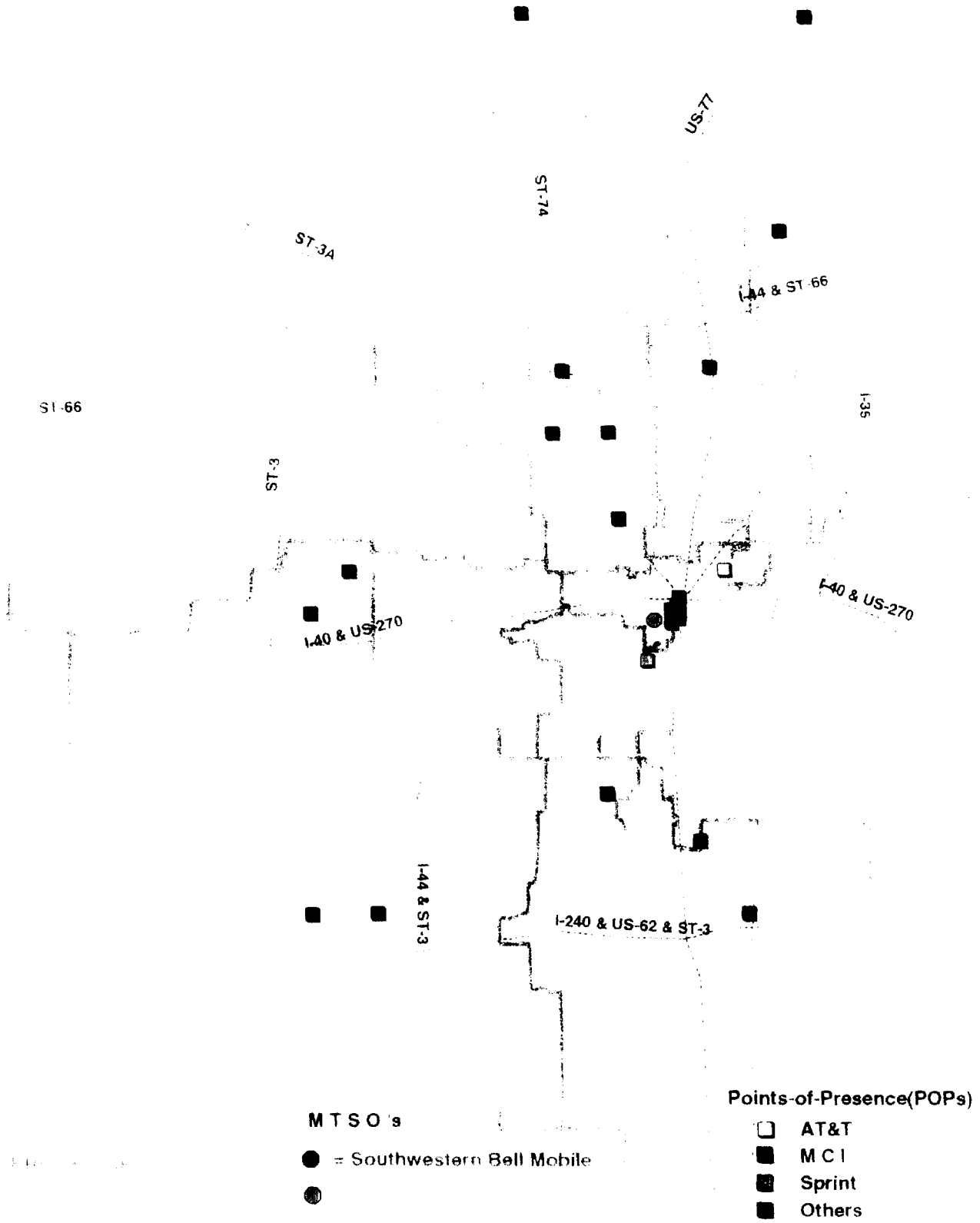
M T S O 's

● = U S Cellular

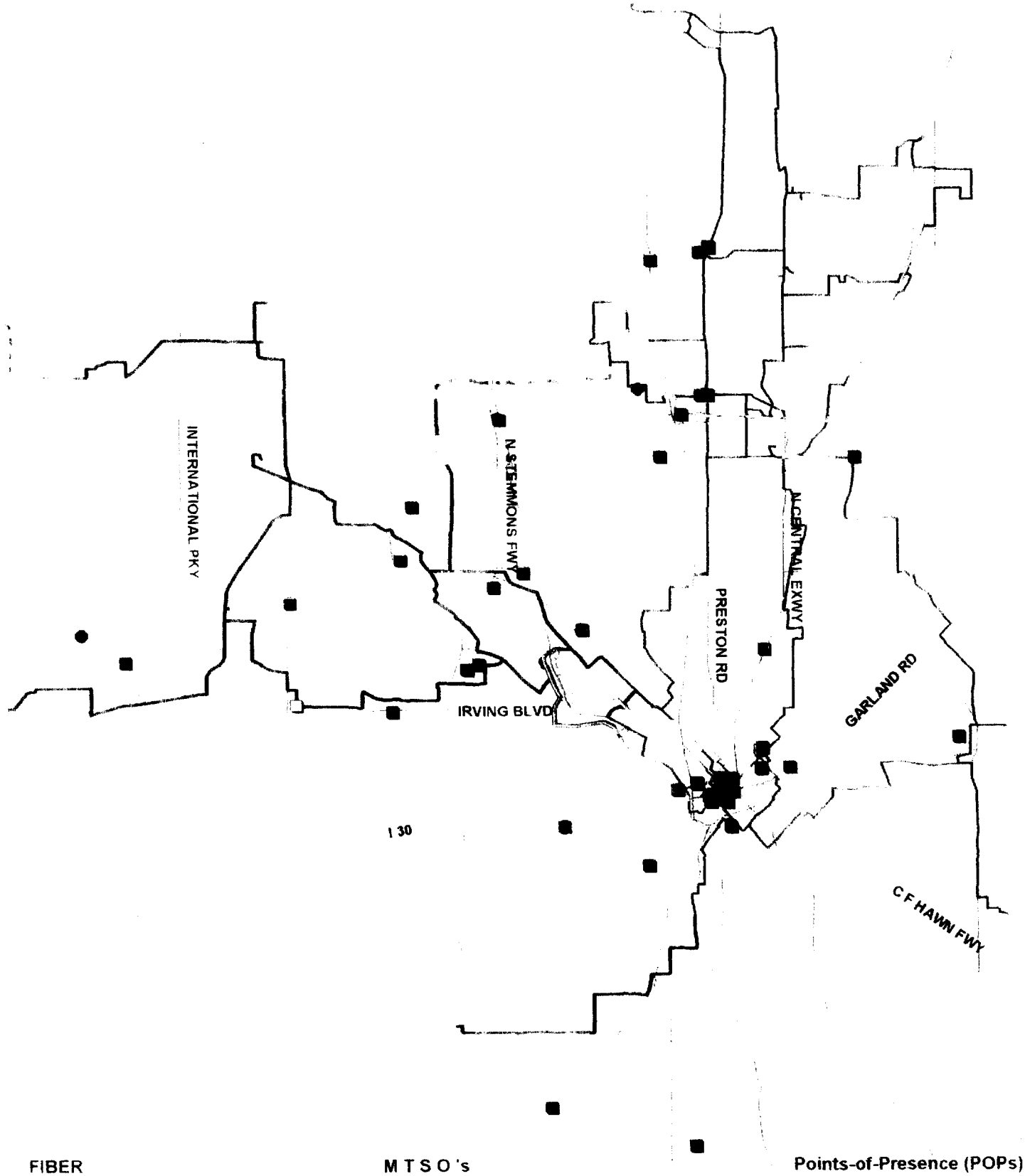
Points-of-Presence (POPs

- AT&T
- M C I
- Sprint
- Others

CAP NETWORKS - OKLAHOMA CITY



CAP NETWORKS - DALLAS



FIBER

TCG FIBER

M T S O 's

= Southwestern Bell Mobile

= Metrocel

Points-of-Presence (POPs)

AT&T

M C I

Sprint

Others